

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 5-12 and 16-22 are pending in the application. No claim amendments are presented, thus, no new matter is added.

In the outstanding Office Action, Claims 1, 5, 7-10, 12, 16, and 18-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wells et al. (U.S. Patent No. 5,870,683, hereinafter Wells) in view of Coursey (U.S. Patent No. 5,950,130); Claims 6 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wells in view of Coursey and Hubbe et al. (U.S. Patent No. 6,667,748, hereinafter Hubbe); and Claims 11 and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wells in view of Coursey and Fogarty (U.S. Patent No. 6,311,180, Fogarty).

In the outstanding Office Action, Claims 1, 5, 7-10, 12, 16, and 18-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wells et al. (U.S. Patent No. 5,870,683, hereinafter Wells) in view of Coursey. Applicants respectfully traverse this rejection as independent Claims 1 and 12 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 is directed to a method for providing a background image for a display of a communication device, whereby the data of background images are stored in at least one memory accessible for said communication device. The method comprising the steps of:

- a) automatically selecting background images to be displayed, ***according to pre-set parameters received from a base station;***
- b) retrieving the data of said automatically selected background images from said memory ***wherein said pre-set parameters are received independent from the storing and retrieving of said data of said background images;*** and
- c) displaying said retrieved background images in

sequence as defined by said pre-set parameters on said display of said mobile telephone.

Independent Claim 12, while directed to an alternative embodiment, recites substantially similar features. Accordingly, the arguments presented below are applicable to each of independent Claims 1 and 12.

The Official Action cites Wells as disclosing Applicants' invention with the exception of receiving the preset parameters from a base station. In an attempt to remedy this deficiency, the outstanding Office Action relies on Coursey and states that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to arrive at Applicants' claims. Applicants respectfully traverse this rejection, as Coursey fails to teach or suggest the claimed features for which it is asserted as a secondary reference under 35 U.S.C. § 103.

More specifically, Coursey fails to teach or suggest "automatically selecting background images to be displayed, *according to pre-set parameters received from a base station... wherein said pre-set parameters are received independent from the storing and retrieving of said data of said background images,*" as recited in independent Claim 1.

Coursey describes a method of intelligent roaming wherein a System Access List (SAL), programmed into the memory of a mobile station over-the-air or via a physical interface, is used to select a preferred system for service.¹ When the mobile station is powered on, it scans the home band first, then a secondary band if a control channel is not found on the home band.

More specifically, at col. 7, ll. 5-13, Coursey describes that when a mobile station is powered on it scans a home-band and obtains a system identification number of the current service area. The received system identification number of the current service area is then compared to pre-stored system identification numbers stored in the SAL, as described at col.

¹ Coursey, Abstract.

7, ll. 5-28, for example. Further, col. 13, ll. 39-43 and col. 15, ll. 56-59 of Coursey describes that the system identification number is equivalent to the system identification code (SID). However, the SID, as described in Coursey, does not contain any kind of pre-set parameters related to the display of a sequence of images. Instead, the SID is merely identifies a cellular service provider.

Col. 11, ll. 18-21 of Coursey describes that the SAL may also include information for the mobile station to use in determining whether to display a roam icon, and what alphanumeric system name to display while operating in a given system. This capability, however, merely indicates that the SAL may store information additional to the system identifiers already stored in the SAL. In any case, the SAL as described by Coursey does not include any kind of information related to the display of a sequence of background images and even less the receipt of such pre-set parameters independent from the storing and retrieving of data of background images from a base station, as claimed.

Therefore, Wells and Coursey, neither alone, nor in combination, teach or suggest “automatically selecting background images to be displayed, *according to pre-set parameters received from a base station... wherein said pre-set parameters are received independent from the storing and retrieving of said data of said background images,*” as recited in independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and the claims that depend therefrom) under 35 U.S.C. § 103(a) be withdrawn. For substantially similar reasons, it is also submitted that independent Claim 12 (and the claims that depend therefrom) patentably define over Yoon and/or Okawa.

With regard to the rejection of Claims 6, 11, 17 and 22 under 35 U.S.C. § 103 as unpatentable over Wells and Coursey in view of Fogarty, and Hubbe, it is noted that these claims depend from one of independent Claims 1 or 12, and are believed to be patentable for

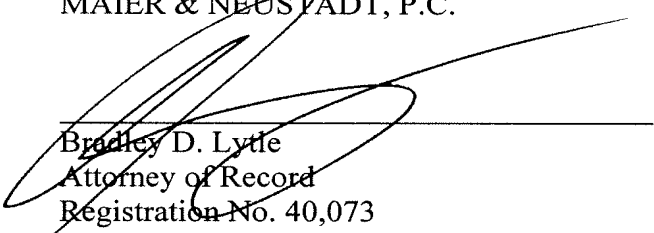
at least the reasons discussed above. Further, it is respectfully submitted that neither Hubbe, nor Fogarty remedy any of the above-noted deficiencies of Wells and Coursey.

Accordingly, Applicants respectfully request that the rejection of Claims 6, 11, 17 and 22 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1, 5-12 and 16-22 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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